

Remarks

This is Responsive to the Final Office Action mailed April 4, 2011 and the telephonic interview of July 21, 2011.

Telephonic Interview

Examiners Thomas and Sugarman are thanked for the courtesy of the telephonic interview in this case conducted on July 21, 2011 with the undersigned. A complete summary of the interview has been made of record by the Examiner.

Request for Acknowledgement of Acceptability of Drawing Revision

The Office Action mailed April 4, 2011 did not include an acknowledgement of the acceptability of the revised sheet of drawings submitted with the Response of January 10, 2011. Acknowledgement of same is respectfully requested.

Discussion

As discussed in the interview Claim 23 was previously amended to recite: *“said selected optical element being inserted into an operating position in the beam path, said operating position being a position at which said selected optical element is separate from said interchange mechanism, said interchange mechanism being supported by a structure which is substantially dynamically decoupled from said housing and from said remaining optical elements arranged along the beam path”*.

Eurlings et al. '907 is relied upon by the Examiner for its teachings of a feeder device, namely, exchanger 12, for selectively exchanging optical elements into and out of the beam path. However, in contrast to claim 23, there is no express or implied disclosure, teaching or other motivation in either Eurlings et al. or '907, Oliver et al. '559 – or elsewhere in the prior art of record or of an apparatus as presently claimed wherein,

in addition to the interchange mechanism being supported by a structure which is substantially dynamically decoupled from the housing of the optical assembly and the remaining optical elements in the beam path, the selected optical element is located at an operating position at which the selected optical element is *separate from* the interchange mechanism. Referring to Figs. 2 and 7 of Eurlings et al. '907 it can be appreciated that the exchangers 12, 12A and 12B are clearly depicted as being connected by way of solid lines with their respective optical elements 10, 10A and 10B when the optical elements are positioned for use in the beam path (22). Thus, according to Eurlings et al. '907 those optical elements remain attached to the exchangers 12, 12A and 12B when the optical elements are in their operating position in the beam path. Supporting this interpretation, Eurlings et al. '907 teaches at col. 9 lines 18-24 that the exchanger 12 may comprise, "a carousel or rotatable disc provided with several optical elements and controllable to position one of those optical elements in the beam path" or a "slide-in-slide-out mechanism as employed in a photographic slide projector, for example" but is devoid of any express or implied teaching or suggestion of any apparatus or mode of operation according to which a selected optical element in its operation position would be *separate from the interchange mechanism* as claim 23 in its present form expressly recites. To the contrary, Fig. 5 of Eurlings 35 al. '907 illustrates an embodiment in which a carousel (32), which is described at col. 12 line 43 as being part of the exchanger (12) of Fig. 1 is clearly shown as being directly attached to, and supporting, optical elements (42) and (44) in their operating positions the path of an incident beam (40). Thus, there is nothing in Eurlings et al. '907, either alone, or in combination with Oliver et al. '559, or any other prior art of record or any other information or knowledge reasonably within the purview

of the person of ordinary skill in the art at the time Applicant's invention was made which might reasonably motivate such person of ordinary skill to conceive of an apparatus along the lines of claim 23 in its present form. Accordingly, the rejection of claim 23 should be withdrawn.

Claims 24, 26-32 34 and 35 each depend directly or indirectly from claim 23 and claim 36 also incorporates all the limitations of claim 23. All of those claims are therefore patentable over the art of record for at least the same reasons as noted above concerning claim 23. Accordingly the Examiner's rejections of those claims have been overcome or rendered moot for at least those same reasons. However a number of those claims have also been submitted to also be separately patentable on independent grounds for the reasons which were discussed in the Response filed January 10, 2011. Those remarks are expressly incorporated herein by reference as if fully set forth herein.

Miscellaneous Claim Amendments

Claim 34 has been amended herein to correct a minor typographical error, namely to remove a duplicate article "a". This amendment was not made for any reason related to patentability and was not necessary in order to patentably distinguish over the prior art of record.

Letter of July 21, 2011

It is noted for the record that undersigned's July 21, 2011 letter to the Examiner was not a response to the outstanding Office Action. The letter was sent pursuant to the Examiner's request to identify in general the subject matter to be discussed during the interview of the same date. This letter was not intended as a synopsis or summary of the interview itself, which took place subsequently, nor was it intended, or to be relied upon,

as a characterization, summary, synopsis, or interpretation of any claim, nor is it to be relied upon in construing any claim.

Conclusion

In view of the foregoing, it is believed that all outstanding rejections of record have been overcome and claims 23, 24, 26, 27, 28, 29, 30, 31, 32, 34, 35 and 36 are in condition for allowance in their present form. A prompt Notice of Allowance is therefore respectfully solicited.

Respectfully submitted,

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